

William L. Van Doren
4785 Medlar Rd
Miamisburg, Ohio 45342

12 Feb 09

United States Bankruptcy Court
One Bowling Green
New York, NY 1004

Attn: Judge Robert D. Drain

Ref:
Delphi Case # 05-44481 filed October 5, 2005
Document # 14705 to cancel OPEB for all retirees

Dear Judge Drain:

Please consider my attached objection to the above document to allow time to secure legal counsel.

Sincerely,

William L. Van Doren



Attachment: floppy disc and hard copy

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

DELPHI CORPORATION et al

Case No 05-44181 (RDD)

Debtors

Document 14705

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I petition the court in addition to allow adequate time to secure counsel and be properly represented before the court.

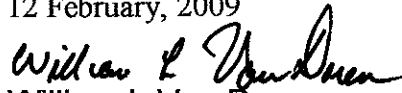
I petition the court under section 1114(d) of the Bankruptcy code to appoint a committee of retirees, not nominated by the Delphi Corporation, to represent the employees affected by Debtor's document 14705 to unilaterally cancel OPEB.

I petition the court to delay the cancellation of OPEB to allow retirees to secure alternate coverage if necessary.

1. Notification of the petition was not received until 3 February, leaving inadequate time to secure counsel and respond appropriately by 17 February. The Debtor himself concedes that Farmland Industries, Inc 294 BR 903 is a precedent which should be addressed by proper counsel.
2. The petition seeks "authorizing, but not directing, the Debtors to terminate Salaried OPEB." The Debtor has already notified affected retirees that benefits will be terminated 1 April, and that continued self pay insurance packages will be offered on 27 February which must be accepted or rejected within 30 days. This does not allow adequate time to secure alternative coverage.
3. This petition seeks to set apart salaried retiree stakeholders for special and severe treatment.
 - a. Many affected employees were urged to retire with the implied benefit of OPEB continuation. Those who did not accept voluntarily were unilaterally forced by the Debtor to accept.
 - b. Hourly rate employees continue to receive full insurance benefits and full 40 hour weekly pay six months after the plant closing, with no end in sight.
 - c. There has been no demonstrated adjustment in management pay or benefits.

Please allow the affected parties time as petitioned above to secure counsel and properly present this petition.

12 February, 2009


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